

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

TOBY JAMES,

Plaintiff,

VS.

CONCEPTUS, INC.,

Defendant.

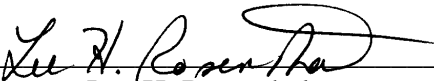
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CIVIL ACTION NO. H-11-1183

ORDER OF DISMISSAL

In accordance with the court's Memorandum and Opinion of this date, this action is dismissed without prejudice in favor of arbitration pursuant to the parties' agreement. Each party bears its own costs and fees.

SIGNED on March 12, 2012, at Houston, Texas.



Lee H. Rosenthal
United States District Judge